

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P802342/WO/1	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/012983	International filing date (<i>day/month/year</i>) 20 November 2003 (20.11.2003)	Priority date (<i>day/month/year</i>) 20 December 2002 (20.12.2002)
International Patent Classification (IPC) or national classification and IPC G05D 1/02, B62D 15/00, 15/02, B60Q 1/48, G08G 1/16, G01C 21/20		
Applicant DAIMLERCHRYSLER AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 10 July 2004 (10.07.2004)	Date of completion of this report 20 October 2004 (20.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/012983

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed☒ the description:

pages _____ 1-12 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the claims:

pages _____ 1-22 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the drawings:

pages _____ 1/3-3/3 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-21	YES
	Claims	1, 22	NO
Inventive step (IS)	Claims		YES
	Claims	1-22	NO
Industrial applicability (IA)	Claims	1-22	YES
	Claims		NO

2. Citations and explanations

1. The following documents are cited from those listed in the search report:

D1: WO 02/075251 A (HAPTICA LTD; LACEY GERARD (IE);
MACNAMARA SHANE (IE)) 26 September 2002
(2002-09-26)

D2: EP-A-1 288 071 (AISIN SEIKI) 5 March 2003
(2003-03-05)

2. The present application does not meet the requirements of PCT Article 33(2) because the subject matter of method claim 1 and of device claim 22 lacks novelty for the following reasons:

2.1 Document D1 is considered the closest prior art. This is not disputed by the applicant in the letter of 30 August 2004, submitted 1 September 2004.

2.2 Document D1 describes, using the original wording of claim 1 (the original wording is in *italics*; references to D1 appear between parentheses):

a method for assisting the driver of a vehicle during a parking manoeuvre, parking spaces 31 being

determined and measured by the vehicle and a set trajectory (figure 3(a)) being determined according to a predetermined parking strategy, along which trajectory the vehicle 32 should be moved during the parking manoeuvre (page 6, line 23 to page 7, line 25 and figures 2, 3(a)-3(f)),
an image of the parking situation being displayed for the driver on an image display device 16 (page 6, lines 16-21, figure 5), on which are displayed in plan view the parking space, an optimum desired position 33, as well as a first vehicle 32 and a second vehicle 33, the optimum desired position 33 corresponding to a position that the vehicle should adopt within the parking space 31, the first vehicle 32 corresponding to the vehicle in its current position and the second vehicle 33 corresponding to the vehicle in its target position 33, which can be expected to be reached if the vehicle moves along the set trajectory (see page 6, line 3 to page 8, line 20 and figures 2, 3(a)-3(f)).

The objections raised against claim 1 also apply, *mutatis mutandis*, to claim 22 and therefore the subject matter of that claim also lacks novelty (PCT Article 33(2)).

3. The subject matter of claims 1-22 is industrially applicable (PCT Article 33(4)).
4. The features disclosed in claims 2 to 21 would be added as a matter of common practice by a person skilled in the art and therefore they do not involve an inventive step (PCT Article 33(3)).

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5. It should be noted that document D2 is relevant to the assessment of novelty and inventive step. However, that document is not considered prior art under PCT procedure (PCT Rule 64.3).